



16 APR 2010

Carestream Health, Inc.  
150 Verona Street  
Rochester NY 14608

In re Application of	:	
INGLESE, et al.	:	DECISION ON PETITION
Serial No.: 10/598,017	:	
PCT No.: PCT/EP2005/001208	:	UNDER 37 CFR 1.47(a)
Int. Filing Date: 07 February 2005	:	
Priority Date: 20 February 2004	:	
Atty Docket No.: 87729NAB	:	
For: EQUIPMENT AND METHOD FOR MEASURING:	:	
DENTAL SHADE	:	

This decision is in response to applicant's renewed petition under 37 CFR 1.47(a) filed 22 March 2010 in the United States Patent and Trademark Office (USPTO) to accept the application without the signature of joint inventor Anne Croguenac.

### **BACKGROUND**

On 29 January 2010, applicant was mailed a decision dismissing applicant's petition under 37 CFR 1.47(a). Applicant was afforded two months to file any request for reconsideration.

On 22 March 2010, applicant filed the present renewed petition under 37 CFR 1.47(a).

### **DISCUSSION**

As detailed in the decision mailed 29 January 2010, a petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(g), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing joint inventor. Applicant previously satisfied items 1, 3 and 4.

With the filing of the renewed petition and supporting exhibits, applicant has satisfied the remaining item showing that despite diligent effort the remaining inventor could not be located. As such, it is proper to grant applicant's renewed petition at this time.

**CONCLUSION**

For the reasons discussed above, applicant's renewed petition under 37 CFR 1.47(a) is **GRANTED**.

The application has an international filing date of 07 February 2005 under 35 U.S.C. 363, and will be given a date of **08 January 2010** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

As provided in 37 CFR 1.47(c), a notice of the filing of this application will be forwarded to the non-signing inventors at their last known addresses of record. A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being returned to the DO/EO/US for processing in accordance with this decision.

A handwritten signature in black ink, appearing to read 'Derek A. Putonen'.

Derek A. Putonen  
Attorney Advisor  
Office of PCT Legal Administration  
Tel: 571-272-3294



UNITED STATES PATENT AND TRADEMARK OFFICE

16 APR 2010

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

Ms. Anne C. Croguenec  
Residence Plein Sud  
15, Impasse de la Chana  
38140 RIVES  
FRANCE

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Dear Ms. Croguenec:

You are named as an inventor in the above identified United States patent application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. 116. Should a patent be granted, you will be designated as an inventor. As a named inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or to make your position of record in the application. Alternately, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. If you care to join in the application, the law firm of record (see below) would presumably assist you. Joining in the application would entail the filing of the appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Derek A. Putonen  
Attorney Advisor  
Office of PCT Legal Administration  
Tel: (571) 272-3294

Counsel of record:  
Carestream Health, Inc.  
150 Verona Street  
Rochester NY 14608